UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 05-4129

UNITED STATES OF AMERICA

v.

SHAWN THOMAS a/k/a FLUKEY

Shawn Thomas, Appellant

On Appeal from the United States District Court for the District of New Jersey D.C. Criminal No. 01-cr-00818-1 (Honorable Joel A. Pisano)

Submitted Pursuant to Third Circuit LAR 34.1(a) November 8, 2006

Before: SCIRICA, Chief Judge, McKEE and STAPLETON, Circuit Judges

JUDGMENT

This cause came to be considered on the record from the United States District Court for the District of New Jersey and was submitted pursuant to Third Circuit LAR 34.1(a) on November 8, 2006. On consideration whereof, it is now hereby

ORDERED and ADJUDGED by this Court that the judgment of the District Court entered September 8, 2005, be, and the same is hereby affirmed. All of the above in accordance with the opinion of this Court.

ATTEST:

/s/ Marcia M. Waldron Clerk

DATED: November 20, 2006